

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Apollo Johnson,

Petitioner,

v.

Jeff Woods,

Respondent.

Case No. 11-15229

Honorable Nancy G. Edmunds

**ORDER AND OPINION ACCEPTING THE MAGISTRATE JUDGE'S DECEMBER 20,
2012 REPORT AND RECOMMENDATION [10]**

Before the Court is the magistrate judge's December 20, 12 report and recommendation that the Court deny Petitioner Apollo Johnson's application for the writ of habeas corpus and deny Petitioner a certificate of appealability. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at *1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court nevertheless agrees with the magistrate judge's recommendation. The Court therefore ACCEPTS and ADOPTS the magistrate judge's report and recommendation.

The Court therefore DENIES Petitioner's application for the writ of habeas corpus and denies Petitioner a certificate of appealability.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 7, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 7, 2013, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager